



Federal Update for August 25 - 29, 2014



Vet Jobs Update ► FMCSA Military Skills Test Waiver Program

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) announced 25 JUL that its waiver program that helps experienced veterans and active duty personnel transition into civilian jobs as commercial truck and bus drivers has been expanded to all 50 states and the District of Columbia. "Our nation's veterans deserve good-paying jobs when they return home from serving overseas and we are proud to help," said U.S. Transportation Secretary Anthony Foxx. "Thousands of active duty service members and veterans have already transferred their skills to jobs driving trucks and buses through the Military Skills Test Waiver Program and we look forward to helping even more now that we've expanded to all 50 states."

On June 27, 2014, Alaska became the 50th state to participate in the FMCSA Military Skills Test Waiver Program. Begun in 2011, the Program grants state licensing agencies, including the District of Columbia, the authority to waive the skills test portion of the commercial driver's license application for active duty or recently separated veterans who possess at least two years of safe driving experience operating a military truck or bus. Waiving the skills test expedites the civilian commercial drivers licensing application process and reduces expenses for qualified individuals and operating costs to state licensing agencies. The effort is part of First Lady Michelle Obama's and Dr. Jill Biden's Joining Forces initiative (www.whitehouse.gov/joiningforces) to promote expanded employment and career development opportunities for veterans and military spouses. The announcement also includes two additional expansions of the program.

- First, the eligibility period for qualified individuals to obtain an FMCSA Military Skills Test Waiver has been extended from 90 days to one year, nationwide.
- Second, commencing with Virginia residents, returning military service personnel who possess a state-issued Skill Performance Evaluation (SPE) certificate due to a limb impairment will automatically be recognized as equivalent to an FMCSA-issued SPE certificate and allowed to obtain an interstate commercial driver's license (CDL). To obtain a Skill Performance Evaluation certificate refer to www.fmcsa.dot.gov/regulations/medical/skill-performance-evaluation-certificate-application-new-driver-application.

FMCSA encourages other state licensing agencies to establish comparable equivalency SPE programs. "Commercial drivers fulfill a vital role ensuring that America's economy continually moves forward," said Federal Motor Carrier Safety Administrator Anne S. Ferro. "Service members who have clocked countless miles safely working behind the wheel of a military vehicle will now have more time and opportunity to find long-term employment in the commercial driving industry. Reducing the burden of finding civilian jobs is one of the best ways we can thank members of our military and their families for their service to our nation." From 2010 to 2020, the need for heavy-vehicle drivers is expected to grow by more than 17 percent – faster than the national average for other occupations. To date, more than 6,000 current and former military personnel – including Reserves, National Guard, and U.S. Coast Guard service members – have taken advantage of FMCSA's Military Skills Test Waiver Program, which has been conducted in close cooperation with the Department of Transportation, Department of Defense and the American Association of Motor Vehicle Administrators (AAMVA). Additional information as well as a standardized application form can be obtained at: <http://www.fmcsa.dot.gov/registration/commercial-drivers-license/military>. The form is accepted in all 50 states and the District of Columbia. [Source: FMCSA News Item Jul 25, 2014++]

White House Announces New Veterans-related Executive Actions

In a speech to the American Legion this week, President Obama announced 19 new executive actions being taken by the Departments of Defense and Veterans Affairs (VA) for improving coordination with mental health services for service members, veterans and their families. He also announced a new voluntary partnership with major financial lenders to provide eligible service members with interest rate reductions and other support for buying a home. In addition to healthcare and housing, the President also discussed veterans' employment and ongoing efforts to work with states to eliminate licensing and credentialing barriers for occupations such as commercial trucking and nursing. NGA Contacts: [Justin Stevens](#), 202-624-5390

TRICARE Birth Control ► Legislation to Eliminate Copays S.2687

Sen. Jeanne Shaheen (D-NH) introduced S.2687 legislation on 30 JUL that would require Tricare to provide birth control free-of-charge to beneficiaries at retail pharmacies and by mail. The Access to Contraception for Women Servicemembers and Dependents Act would align the Tricare benefit with the requirements of the Affordable Care Act, which mandates that insurance companies cover FDA-approved contraception without co-payments. Female troops and Tricare beneficiaries currently do not make any co-payments if they receive their contraceptive devices or oral contraception at a military hospital or clinic. They also do not pay for generic medications obtained from Tricare's home delivery system. But they pay a \$5 co-pay for a 30-day generic prescription at retail pharmacies and \$17 for a brand-name. A 90-day brand-name prescription through the mail carries a co-payment of \$13. "Female service members deserve access to the same basic health care as the women they protect," Shaheen said.

The move comes on the heels of a report released that day from the Center for American Progress that cites disparities in health care for female troops when compared with civilians. Some studies show the rate of unplanned pregnancies in the military is 50 percent higher than among civilian women. Fifteen senators — all Democrats — have joined as co-sponsors on Shaheen's measure, including Senate Majority Leader Harry Reid of Nevada and Sen. Kirsten Gillibrand (D-NY), co-chair of the Senate Armed Services Committee's personnel panel. The bill also would require the Defense Department to provide family planning counseling for

all active-duty female troops. “Giving women in the military access to basic preventative health care, including contraception and family planning counseling, will strengthen our military as a whole,” Shaheen said in a release. S.2688 was read twice and referred to the Committee on Armed Services. [Source: MilitaryTimes | Patricia Kime | Jul 30, 2014 ++]

Vet Toxic Exposure Legislation Update ► S.2738 Nat Research Center

Senator Jerry Moran (R-KS) and Senator Richard Blumenthal (D-CT) joined forces to introduce on 31 JUL The Toxic Exposure Research Act of 2014. VVA National President John Rowan noted the necessity of the bill saying, “Among the so-called invisible wounds of war are those brought home by troops that may not manifest for decades. And most tragically, the damage done by the toxins may pass on genetically to the children and grandchildren of our nation’s warriors. Our children are the innocent victims of our military service.” This bill, (S.2738), instructs the Department of Veterans Affairs to establish a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxins during service in the Armed Forces. Further, S.2738 calls for the establishment of an advisory board to oversee and assess the work of the center; to determine health conditions that result from toxic exposure; and to study and evaluate cases of exposure. The advisory board will advise the Secretary of VA on issues related to research conducted at the National Center and the particular benefits and services required by the descendants of individuals exposed while serving as members of the Armed Forces. S.2738 was read twice and referred to the Committee on Veterans' Affairs. [Source: VVA Press Release Aug 01, 2014 ++]

VA Congressional Fix Update ► What’s in Reform Bill H.R.3230

A detailed \$17 billion compromise bill H.R.3230 (Veterans Access, Choice and Accountability Act) to overhaul the troubled Department of Veterans Affairs passed the House in late JUL and arrived in the Senate in time for them to take action before their 1 SEP recess. The plan cracks down on employee wrongdoing but also directs billions into growing and studying the department after a nationwide scandal over long wait times and falsified records. A conference committee of House and Senate leaders on veteran issues agreed to the deal

which helped its expedited handling by the Senate who has passed it on to the President for signature. Following is a summary of what is in the bill:

Outside care: The vast majority of new spending would go into expanding access to private care for veterans who are having difficulty getting VA treatment.

- A \$10 billion Veterans Choice Fund would be created in the U.S. Treasury. The money could be tapped to fund private treatment when beneficiaries cannot get a VA health care appointment within two weeks or live more than 40 miles from a VA facility.
- A pilot program providing access to outside care in five of the 23 VA service networks would be extended for two years.

Staff and medical facilities: The compromise puts \$7 billion into hiring and leasing to expand capacity in the VA system.

- 5 billion would go toward new primary care and specialty care physicians as well as other doctors, nurses, social workers and mental health professionals.
- \$2 billion would be used to lease new major medical facilities in New Mexico, New Jersey, South Carolina, Georgia, Hawaii, Kansas, Louisiana, California, Puerto Rico, Connecticut, Massachusetts, Missouri, Illinois, Nebraska, Arizona and Oklahoma.
- Each year, VA would report the five job positions with the largest staffing shortages and work to fill them.
- Graduate medical education residency positions at medical facilities would increase by up to 1,500.
- A medical scholarship program requiring service in the department would be extended for five years, and limits on a federal debt reduction program for graduates who go to work for the VA would be increased.
- Mobile VA medical centers that provide vets tele-medicine would be standardized with set goals and schedules to improve access.

Staff wrongdoing: Lawmakers in both chambers supported measures cracking down on staff behind falsified data on patient wait times.

- Senior executives could be fired at will by the secretary and would have only seven days to appeal. The Merit Systems Protection Board would then refer the case to an administrative judge who would be required to make a

decision on the appeal within three weeks. If no decision is reached, the secretary's decision stands.

- Any VA employee who falsifies medical appointment scheduling data or directs others to falsify data faces civil penalties, unpaid suspensions or termination.
- In-person training on how to schedule veterans for appointments would be required for employees at medical facilities.
- Patient wait times could no longer be factors in employee awards and bonuses, though the VA abandoned the practice earlier this year.

Identifying problems: The VA is the largest integrated health care system in the United States, and many have struggled to understand the scope and nature of its dysfunction. The compromise calls for new looks at how the department functions.

- The VA would contract for a private independent assessment of its health care system and management, which would focus on the needs of veterans and workloads of its staff.
- A commission would examine how best to organize the VA health care system, locate health care resources and deliver health care to veterans over the next two decades.
- A technology task force would review the VA's computerized scheduling system and its software. The VA must implement any recommended upgrades within a year.

Sexual assault: The military has struggled with how to handle and treat sexual assault. Lawmakers want to more VA assistance in overcoming has been called an epidemic.

- VA counseling would be expanded to include active-duty and reserve troops.
- A report would be done comparing the treatment and services available to male veterans who experienced sexual trauma in the military with those available to female veterans.

Cuts: The bill provides a big increase in emergency spending that would normally require cuts elsewhere. To placate budget hawks, lawmakers said the compromise includes \$5 billion in "offsets" – spending cuts from the VA budget.

- VA would be barred from handing out more than \$360 million in employee awards or bonuses in any given fiscal year.
- Veterans would be denied money under the Montgomery GI Bill All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance programs if they are being charged higher tuition than in-state students pay.
- A cap on VA pensions for veterans who get Medicaid coverage for nursing facilities would be extended for a decade.
- Collection of fees on Veterans Housing Benefit Program Fund loans would be extended for a decade. [Source: Stars and Stripes | Travis J. Tritten | Jul 29, 2014 ++]

VA Congressional Fix Update ► Obama Signs H.R.3230

President Obama signed the new Veterans Affairs Department reform bill into law 7 AUG, but it will be a while before veterans see any of its effects. The \$16.3 billion measure has been touted by lawmakers, administration officials and veterans groups as an important first step in fixing a department rocked by multiple scandals in recent months. It would expand private care options, fund hiring of new clinicians, lease more medical space and ease rules for the dismissal of VA senior officials for poor performance. In a statement, VA officials promised “timely and effective implementation of this highly complex piece of legislation.” But many of those changes will take months to implement, a problematic delay for critics already frustrated with VA operations. “It’s like turning a battleship around,” said Garry Augustine, executive director of Disabled Veterans of America. “It’s a long process, and we’re going to have to be patient.”

The most complex provisions in the measure involve issuing new “veterans choice” cards to existing VA patients facing long wait times or travel of 40 miles or more to their nearest VA facility. Lawmakers made that the crux of the new law, saying it will give veterans a quick, convenient option to seek private care if VA can’t fix its wait time problems. VA data from mid-July shows more than 35,000 patients still faced wait times of 90 days or more to see a physician. White House officials noted that VA schedulers have reached out to more than 217,000 veterans in recent months to get them off local wait lists and into clinics, run either by the VA or private practices. But setting up processes for establishing

eligibility for cards, issuing instructions and systemically refunding private doctors for work with veterans will likely take months. Ian de Planque, deputy director for the American Legion, said he doesn't expect bureaucrats to be able to finish that work in 2014. "Health experts we've talked to said all the details could take more than a year," he said.

Hiring new clinicians also could be a lengthy process. Last month, then-acting VA Secretary Sloan Gibson said he wants to hire 10,000 clinicians in coming years to help make more appointments available for veteran patients, but the federal hiring process often takes weeks and months to complete. Plans for leases at 27 new locations could move more quickly, since veterans groups and VA health officials have already identified those locations. Augustine and de Planque both said they hope that new space will be open this fall, and will immediately provide more clinic space and time.

The most open-ended provision of the bill might be its most publicized portion. The legislation gives the VA secretary broader authority to fire senior executives for poor performance or mismanagement, and has been touted by lawmakers as a key tool in keeping the department's workforce accountable. But the measure covers fewer than 500 VA employees, and it's unclear whether any face a real threat to their jobs. Incoming VA Secretary Bob McDonald has promised to weed out problematic employees, but many midlevel and top department officials have already stepped aside over the last few months. Meanwhile, VA leaders have said they're reluctant or powerless to act on many fireable allegations related to recent scandals until after the VA Inspector General completes investigations into the wrongdoing. De Planque said he's focused less on the timeline for the new law's provisions than the one already set out by McDonald.

In his confirmation hearing last month, the new secretary promised significant improvements within his first 90 days, a clock that started last week. These include quarterly video conferences with regional officials, a new physicians review board to evaluate health care delivery, expanding digital records and processing, and an open invitation to whistleblowers to help shape changes in operations. "Right now, we're in a period of less pressure but more watching," de Planque said. "We want to see what can be done in those 90 days, and be ready to increase the pressure again if we don't see changes." White House officials insist that McDonald has already started that culture change, through a series of

messages to staffers about VA's mission of helping vets. But they also acknowledged more needs to be done. Augustine is urging his members to be patient, despite the recent controversies. "Whether Congress is going to be as patient, we don't know," he said. "But we know the complexities and problems of this system. It's going to take time to fix." [Source: NavyTimes | Leo Shane] Aug 07, 2014 ++]

Following is a Summary of Veteran Related Legislation Introduced in the House and Senate since the Last Bulletin was Published

- H.R.5224: RDOCS-VA [Restoring the Doctors of Our Country through Scholarships Veterans Affairs] Act of 2014. A bill to amend title 38, United States Code, to establish a scholarship program to increase the availability of physicians who provide primary health care services at medical facilities of the Department of Veterans Affairs. Sponsor: Rep. McDermott, Jim [D-WA-7] (Introduced 07/28/2014)
- H.R.5231: Veterans Small Business Enhancement Act of 2014. A bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses. Sponsor: Rep. Bentivolio, Kerry L. [R-MI-11] (Introduced 07/29/2014)
- H.R.5254: Stop Wasteful Bonuses in Department of Veterans Affairs Act of 2014. A bill to appropriately limit the authority to award bonuses to employees. Sponsor: Rep. Sinema, Kyrsten [AZ-9] (introduced 7/29/2014)
- H.R.5273: Post-9/11 Veterans Education Fairness Act. A bill to amend title 38, United States Code, to expand the authority of veterans to transfer entitlement to Post-9/11 Educational Assistance to dependents. Sponsor: Rep Barber, Ron [AZ-2] (introduced 7/30/2014)
- H.R.5286: Veterans Equitable Treatment Act. A bill to amend title 38, United States Code, to provide for a more equitable geographic allocation of funds appropriated to the Department of Veterans Affairs for medical care. Sponsor: Rep Larson, John B. [CT-1] (introduced 7/30/2014)
- H.R.5323: Medical Leave for Veterans Act of 2014. A bill to provide leave to certain new employees who are veterans with a service-connected disability rated at 30 percent or more for purposes of undergoing medical

treatment for such disability, and for other purposes. Sponsor: Rep Butterfield, G. K. [NC-1] (introduced 7/31/2014)

- H.R.5333: Expanding Access for Veterans' Service Animals Act. A bill to amend title 38, United States Code, to ensure that a service animal of a patient receiving inpatient medical care at a medical facility of the Department of Veterans Affairs is able to access the room of the patient. Sponsor: Rep Daines, Steve [MT] (introduced 7/31/2014)
- H.R.5342: Active Duty Health Care Provider VA Privileges. A bill to direct the Secretary of Veterans Affairs to expeditiously grant privileges to members of the Armed Forces who are health care providers to provide hospital care and medical services in medical facilities of the Department of Veterans Affairs. Sponsor: Rep Heck, Joseph J. [NV-3] (introduced 7/31/2014)
- H.R.5349: VARO Deadlines to Certify Forms. A bill to direct the Secretary of Veterans Affairs to establish a deadline for the certification of certain forms by regional offices of the Department of Veterans Affairs. Sponsor: Rep Latta, Robert E. [OH-5] (introduced 7/31/2014)
- H.R.5351: TSA Pre-Check Program Disabled Vet Fee Waiver. A bill to waive the application fee for veterans with a service-connected disability rated at 50 percent or more who apply to participate in the Transportation Security Administration's Pre-Check program, and for other purposes. Sponsor: Rep Latta, Robert E. [OH-5] (introduced 7/31/2014)
- H.R.5369: VA Notification of Deceased Vet Internment. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs is informed of the interment of deceased veterans, and for other purposes. Sponsor: Rep Royce, Edward R. [CA-39] (introduced 7/31/2014)
- H.R.5375: USERRA Improved Enforcement. A bill to amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes. Sponsor: Rep Schwartz, Allyson Y. [PA-13] (introduced 7/31/2014)
- S.2700: Honor Those Who Served Act of 2014. A bill to amend title 38, United States Code, to identify the persons who are eligible to request headstones or markers furnished by the Secretary of Veterans Affairs, and for other purposes. Sponsor: Sen Portman, Rob [OH] (introduced 7/30/2014)

- S.2707: Veterans TRICARE Choice Act. A bill to provide for coordination between the TRICARE program and eligibility for making contributions to a health savings account. Sponsor: Sen Moran, Jerry [KS] (introduced 7/30/2014) Related Bills: H.R.4682
- S.2738: VA Dependent Toxic Substance Research Center. A bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces, to establish an advisory board on exposure to toxic substances, and for other purposes. Sponsor: Sen Blumenthal, Richard [CT] (introduced 7/31/2014)
- S.2740: VA Outreach Volunteer Vets National Directory. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes. Sponsor: Sen Heitkamp, Heidi [ND] (introduced 7/31/2014) [Source: <http://www.loc.gov> & <http://www.govtrack.us/congress/bills> Aug 12, 2014 ++]

Disney Military Deals ► Now thru 30 SEP 2015

Thinking about booking a Disney vacation? Before you go, check out the following Disney discounts you can get as well as a few things to keep in mind. (The first thing to keep in mind is to have your military ID. You'll need a valid ID to redeem all of these deals.)

- Hopper Tickets. Through Disney's Armed Forces Salute program, military personnel can get half off the regular price of tickets to Disney theme parks. These deals are good for all military members, including active duty, National Guard, Reserve, retired military and spouses.
- Current 2013-2014 offer on tickets expire and may not be used after Sept. 27, 2014. For the 2013-2014 Armed Forces Salute, Disney offers four-day park hopper tickets to Walt Disney World in Orlando, Florida for \$169 (add the water park option for a total of \$198) and three-day park hopper tickets to Disneyland in Anaheim, California for \$129 (which allows you to visit both Disneyland Park and Disney California Adventure Park on the same day). This discount runs from September 29, 2013 through September 27, 2014.
- For the 2014-2015 Armed Forces Salute, purchase from August 25, 2014 through September 30, 2015. Disney offers four-day park hopper tickets to

Walt Disney World in Orlando, Florida for \$177.00 (add the water park option for \$207) and three-day park hopper tickets to Disneyland in Anaheim, California for \$132 (which allows you to visit both Disneyland Park and Disney California Adventure Park on the same day). This discount runs from September 28, 2014 through October 3, 2015.

You can purchase these tickets at your military installations' ticket office, Shades of Green, or at Disney ticket booths. Keep in mind: These tickets can't be combined with other discounts or promotions, they aren't valid on certain blockout dates, and they're limited to six tickets. If you purchase the tickets through your military installation or Shades of Green, it's tax-free, but tax will be added at Disney ticket booths.

- **Disney Hotels.** The Disney Armed Forces Salute program also applies to Disney Resort hotels, where military members can get select rooms at 30-40% off the normal rates. This includes a variety of deluxe resorts, moderate resorts, and value resorts at Walt Disney World in Florida. Disneyland Resort hotels in California include Disney's Paradise Pier Hotel, Disneyland Hotel, and Disney's Grand Californian Hotel and Spa. Keep in mind: The number of rooms at the reduced rate is limited, and minimum stay requirements may apply. Just like ticket sales, the discounts on resort rooms are also subject to blockout dates.
- **Extra Magic Hours.** Another perk of being a Disney Resort hotel guest is Extra Magic Hours. This allows you early admission to select attractions, stores, entertainment and restaurants during each day of your hotel stay. That's one extra hour of fun before the park opens to the general public, which is a great way to enjoy a slower pace and shorter lines. Keep in mind: Each park has an Extra Magic Hour schedule. That means this perk isn't applicable every day of the week or at every park.
- **Shades of Green.** Another option for lodging is Shades of Green. Shades of Green is an Armed Forces Recreation Center (AFRC) in Orlando, Florida. It is a military-owned resort located within Walt Disney World that offers affordable military room rates and discounted tickets for all Disney World venues. It also offers complimentary bus transportation to the Disney World Theme parks and to the Transportation and Ticket Center, as well as the Extra Magic Hours benefit.

- Disney Cruises. The Disney Cruise Line offers military discounted cruise rates on select sailings. Discounts are typically announced 30-60 days out. Keep in mind: The discounts are always changing, so visit their website at <https://disneyworld.disney.go.com/special-offers/military-4-day-tickets/> frequently to look for updates. [Source: Mil.com Newsletter | Money Matters | Jul 24, 2014 ++]